

Gregory N. Karasik (SBN 115834)
Karasik Law Firm
11835 W. Olympic Blvd. Ste. 1275
Los Angeles, CA 90064
Tel (310) 312-6800
Fax (310) 943-2582
E-mail: greg@karasiklawfirm.com

Santos Gomez (SBN 172741)
Maria Esmeralda Vizzusi (SBN 289908)
Law Offices of Santos Gomez
1003 Freedom Boulevard
Watsonville, CA 95076
Tel: (831) 228-1560
Fax: (831) 228-1542
santos@lawofficesofsantosgomez.com
esmeralda@lawofficesofsantosgomez.com

Attorneys for Plaintiffs
REGINA GONZALES GOMEZ and
FIDEL GUERRERO COMOFORT

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

REGINA GONZALES GOMEZ, and
FIDEL GUERRERO COMOFORT,
individually and on behalf of others
similarly situated,

Plaintiffs,

vs.

FERNANDEZ BROTHERS, INC. and
DOES 1 through 10,

Defendants.

Case No. 5:17-cv-01863-EJD

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: May 24, 2018
Time: 9:00 a.m.
Cttrm: 4

The motion of plaintiffs Regina Gonzales Gomez and Fidel Guerrero Comofort ("Plaintiffs") for an order granting final approval of the class action settlement (the "Settlement") reached with defendant Fernandez Brothers, Inc. ("Defendant"), that was preliminarily approved by the Court on January 3, 2018, came regularly on for hearing. Good cause having been shown, Plaintiffs' motion is GRANTED and IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1
2 1. The Court grants final approval of the Settlement and finds the terms of the
3 Settlement to be fair, reasonable and adequate under Rule 23(e) of the Federal Rules of
4 Civil Procedure, including the amount of the settlement fund; the amount of
5 distributions to class members; the procedure for giving notice to class members; the
6 procedure for objecting to or opting out of the Settlement; and the maximum amounts
7 allocated to an incentive payment, costs and attorney's fees.

8 2. The Court certifies for settlement purposes the Settlement Class described
9 in the Settlement, comprised of all persons who, at any time between April 4, 2013 and
10 September 14, 2017, worked for Defendant as a seasonal agricultural worker who
11 performed field work harvesting strawberries.

12 3. The Court finds that class members were provided proper and adequate
13 notice of their rights in a manner that satisfies the requirements of due process.

14 4. The Court orders that all class members who did not timely file a request
15 for exclusion from the Settlement are barred from prosecuting against the Released
16 Parties any and all released claims as set forth in the Settlement.

17 5. The Court orders that Defendant make a payment into the settlement fund,
18 in accordance with the procedures set forth in the Settlement, of the amount needed to
19 fund all amounts payable under the Settlement.

20 6. The Court orders payment from the settlement fund of settlement
21 administration fees to Atticus Administration in the amount of \$10,000 in accordance
22 with the procedures set forth in the Settlement.

23 7. The Court awards Plaintiffs the amount of \$320,000 for reasonable
24 attorney's fees, to be paid from the settlement fund in accordance with the procedures
25 set forth in the Settlement.

26 8. The Court awards Plaintiffs the amount of \$5,108.12 for reasonable
27 litigation costs, to be paid from the settlement fund in accordance with the procedures
28 set forth in the Settlement.

1 8. The Court awards Plaintiffs the amount of \$10,000 each as a class
2 representative enhancement payment, to be paid from the settlement fund in accordance
3 with the procedures set forth in the Settlement.

4 9. The Court directs that this order be entered as a final judgment dismissing
5 the action with prejudice.

6 10. The Court orders that, notwithstanding entry of final judgment, the Court
7 shall retain jurisdiction in this matter for the purposes of interpreting or enforcing the
8 Settlement or final judgment.

9
10
11 Dated: _____

United States District Judge